

FILED  
U. S. DISTRICT COURT  
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

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OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH J. BENZ,

Defendant.

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4:13CR 3121

INDICTMENT

18 U.S.C. §2252A(a)(2)

18 U.S.C. §2252(a)(4)(B)

The Grand Jury Charges that:

COUNT I

From at least on or about January 1, 2013, and continuing to on or about May 20, 2013, in the District of Nebraska, the defendant, JOSEPH J. BENZ, did knowingly receive and distribute any child pornography, as defined in Title 18 United States Code Section 2256(8), that had been mailed, and, using any means and facility of interstate and foreign commerce, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT II

On or about May 20, 2013, in the District of Nebraska, JOSEPH J. BENZ, the defendant herein, did knowingly possess one or more matters which contained visual depictions which were mailed and had been shipped or transported using any means or facility of interstate or foreign commerce and in and affecting interstate and foreign commerce, by any means, including

by computer, the production of which involved the use of a minor engaging in sexually explicit conduct and which visual depictions were of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(4)(B).

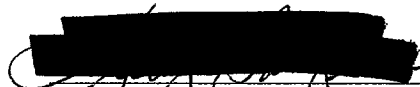
FORFEITURE ALLEGATION


Upon conviction for violating an offense involving a visual depiction described in Title 18 U.S.C. §§ 2252 and 2252(A), defendant, JOSEPH J. BENZ, shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforementioned violation, including but not limited to the following:

1. One Apple MacBook laptop computer, serial number W8963LP66J;
2. One Sabrent 250 GB external hard drive;
3. One Sabrent 500 GB external hard drive; and
4. One Black Cruzer 4GB flash drive.

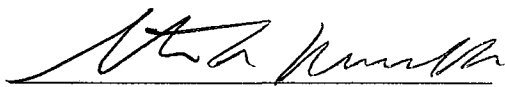
All in violation of Title 18, United States Code, Section 2253.

A TRUE BILL:

  
FOREPERSON

  
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DEBORAH R. GILG  
United States Attorney

The United States of America requests that trial of this case be held at Lincoln, Nebraska, pursuant to the rules of this Court.

  
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STEVEN A. RUSSELL  
Assistant United States Attorney